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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/397,910	09/17/1999	BRAD W. JOHNSON	720.287	9388
21707	7590	09/15/2004		
IAN F. BURNS & ASSOCIATES 1575 DELUCCHI LANE, SUITE 222 RENO, NV 89502				
			EXAMINER NGUYEN, BINH AN DUC	
			ART UNIT 3713	PAPER NUMBER

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/397,910	Applicant(s) JOHNSON ET AL.	
	Examiner Binh-An D. Nguyen	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address.--

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/6, 11/10, 12/22</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the appeal brief filed on March 1, 2004 PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 38-40 are objected to because of the following informalities:

In claim 38, line 1, a colon ":" should replace the underscore symbol (_) following the word "comprising". Note that, the colon is needed to clearly separate the preamble and the claimed limitations. Appropriate correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-14 and 25-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen (6,217,448) in view of Miyamoto et al. (5,951,009).

Olsen teaches a video gaming device and method comprising: a plurality of gaming devices (G), each gaming device being adapted to allow a player to play a wagering game, a plurality of video, each video display being adapted to display a multi-screen presentation (the "hot potato" moving across the screens)(Figures 1, 2, and 7; and 8:48-9:46), a plurality of video displays controllers (video display controllers of gaming machines G) communicating with gaming device and video displays; master video display controller (30); game device controller is adapted to select a bonus award and video presentation based on the output of a random number generator (4:4-12); and any number of equivalent multimedia presentations could be utilized (9:43-46).

Olsen does not explicitly teach the limitations of the video displays being positioned in close relative proximity to allow an integrated video presentation to be displayed, wherein the video presentation appears to be an integrated. Miyamoto et al., however, teaches a game apparatus comprising: video displays being positioned in close relative proximity to allow an integrated video presentation to be displayed using a plurality of video displays, (figures 1-3b); and the controller initiates an integrated multi-screen presentation (the fishes swim across the integrated multi-screen, Figure 1).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to provide an integrated multi-screen game presentation of Miyamoto et al. to the bonus gaming system of Olsen to enhance interactivity of video game system thus attract more game players and increase profit.

6. Claims 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen and Miyamoto et al. as applied to claims 9-14 and 25-34 above, and further in view of Jaffe (6,254,481)

Olsen and Miyamoto et al. teach all limitations of claims 9-14 and 25-34 above. Olsen and Miyamoto et al. do not explicitly teach the limitations of at least one portion of the video presentation displayed on a first display displays at least one person engaged in a fishing activity, and wherein another portion of the video presentation displayed on a second display displays at least one fish (claim 35); the fish determines a bonus award (claim 36). Jaffe, however, teaches a gaming machine with unified image on multiple video displays comprising at least one portion of the video presentation displayed on a first display displays at least one person engaged in a fishing activity, and wherein another portion of the video presentation displayed on a second display displays at least one fish (Figures 1, 4-11). Please note, the limitation of a gaming machine with unified image on multiple video displays comprising at least one portion of the video presentation displayed on a first display displays at least one person engaged in a fishing activity, and wherein another portion of the video presentation displayed on a second display displays at least one fish has not been disclosed by the applicant in the provisional application 60/102672, thus such limitation does not have the priority date of the provisional application.

Art Unit: 3713

Regarding the limitation of a plurality of video displays is attached to the wagering device (claim 37), this limitation has been admitted obvious by the applicant in the provisional application (60/102672, page 11, lines 9-15).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide fishing as bonus game to the game system, as taught by Olsen and Miyamoto et al. to provide more interactions in bonus game thus attract more players and increase profit.

7. Claims 1-8 and 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen and Miyamoto et al. as applied to claims 9-14 and 25-34 above, and further in view of Walker et al. (6,142,872).

Olsen and Miyamoto et al. teach all limitations of claims 9-14 and 25-34 above. Olsen and Miyamoto et al. do not explicitly teach the limitations of gaming device controller initiates a multi-screen presentation of a game (claims 1 and 15). Walker et al., however, teaches a team game wherein a player machine initiates a team game to join other game machines (Figures 1, 15A, and 17A). It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide a local controller request for a team play, as taught by Walker et al., to the multi-screen game presentation of Olsen to provide game player more control over reward of individual game machines thus attracts more people to the casino.

Art Unit: 3713

8. Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 703-305-5713. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 703-308-2159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BN


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